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CHARLES ELMORE CROLEY
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IN THE

Supreme Court of the United States

OCTOBER TERM, A. D. 1939.

No. 397

UNITED STATES OF AMERICA,

Appellant,

vs.

THE BORDEN COMPANY, ET AL.,

Appellees.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES,
FOR THE NORTHERN DISTRICT OF ILLINOIS,
EASTERN DIVISION.

**MOTION OF APPELLEES, HUNDING DAIRY COM-
PANY, a corporation, and CARL W. HUNDING TO
DISMISS APPEAL AS TO SAID APPELLEES.**

CHARLES S. DENREN,

ROY MASSENA,

DONALD N. SCHAFER,

*Counsel for Hunding Dairy Company
and Carl W. Hunding.*

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Come now the appellees, Hunding Dairy Company, a corporation, and Carl W. Hunding, by their counsel, and move that the appeal herein be dismissed as to said appellees.

The ground of said motion is that the record fails to show as to these appellees that the judgment of the

District Court from which this appeal was taken is one of the class of judgments or decisions enumerated in the Criminal Appeals Act, which ground is more fully set forth in the brief filed by these appellees (and the appellee Leland Spencer) under Point I thereof.

CHARLES S. DENEEN,

ROY MASSENA,

DONALD N. SCHAFER,

*Counsel for Appellees, Hunding Dairy
Company and Carl W. Hunding.*